

## Chapter 496

### VEHICLES AND TRAFFIC

**[HISTORY: Adopted by the Village Board of the Village of Plover 6-4-1985 as Ch. 7 of the 1985 Code. Amendments where noted where applicable.]**

#### GENERAL REFERENCES

Parades, carnivals and exhibitions — See Ch. 397.

Taxicabs — See Ch. 475.

#### **§ 496-1. State traffic laws adopted.**<sup>1</sup>

Except as otherwise specifically provided, the statutory provisions in Chs. 340 to 348, Wis. Stats., and Ch. Trans 305, Wis. Adm. Code, describing and defining regulations with respect to vehicles and traffic, exclusive of any provisions relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment, are hereby adopted and by reference made a part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this chapter. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this chapter in order to secure uniform statewide regulation of traffic on the highways, streets and alleys of the State of Wisconsin.

#### **§ 496-2. Traffic control devices; Official Traffic Map; prohibited signs and markers.**

- A. Duty of the Chief of Police to erect and install uniform traffic control devices. Whenever traffic regulations created by this chapter, including a State of Wisconsin traffic regulation adopted by reference in § 496-1 of this chapter, require the erection of traffic control devices for enforcement, the Chief of Police, with the cooperation of the Village Engineer, shall procure, erect and maintain uniform traffic control devices conforming to the Manual on Uniform Traffic Control Devices promulgated by the Wisconsin Department of Transportation, giving notice of such traffic regulations to the users of the streets and highways on which such regulations apply. Whenever state law grants discretion to local authorities in erecting or placement of a uniform traffic control device, devices shall be erected in such locations and in such a manner as in the judgment of the Chief of Police will carry out the purposes of this chapter and give adequate warning to users of the streets and highways of the Village.
- B. Official Traffic Map.
  - (1) Official Traffic Map established. There is hereby established for the Village of Plover an Official Traffic Map, dated March 1, 1985, upon which is indicated as of said date all existing stop signs, railroad grade crossing stops, arterial intersections, yield signs,

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<sup>1</sup>. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

- speed zones, school crossings, crosswalks, no parking zones, no parking tow-away zones and angle parking zones, and all other restrictions or limitations contained in this chapter and for which the laws of the State of Wisconsin require the erection or use of official traffic control devices to enforce such restrictions or limitations. All such restrictions and limitations set forth on said Official Traffic Map are hereby ratified and affirmed.
- (2) Additions to map. The Village Board may from time to time make additions to or deletions from the Official Traffic Map, and the Chief of Police shall keep such Official Traffic Map current. Every addition to said Official Traffic Map made after March 1, 1985, shall indicate the number of the authorizing ordinance or resolution and the date the appropriate official traffic control device was erected, and every deletion shall indicate the number of the authorizing ordinance or resolution.
  - (3) Map to be maintained. A copy of the Official Traffic Map shall be maintained and displayed in the Municipal Building. The Chief of Police shall make appropriate authorized changes on said map within three working days after the appropriate official traffic control device is erected or removed, as the case may be.
  - (4) Violations prohibited. When official traffic control devices giving notice of the restrictions, prohibitions and limitations shown on the Official Traffic Map are erected and maintained in accordance with the provisions of this section, a violation of the restriction, prohibition or limitation shown on the Official Traffic Map shall be a violation of the provisions of this chapter.
- C. Prohibited signs and markers in highways. No person other than an officer authorized by this chapter to erect and maintain official traffic control devices or his designee shall place within the limits of any street or highway maintained by the Village any sign, signal, marker, mark or monument unless permission is first obtained from the Chief of Police or the State Highway Commission. Any sign, signal, marker, mark or monument placed or maintained in violation of this subsection shall be subject to removal as provided in Subsection D below.
- D. Removal of unofficial signs, markers, signals and traffic control devices. The Chief of Police may remove any sign, signal, marker or other device which is placed, maintained or displayed in violation of this chapter or state law. Any charge imposed against premises for removal of a prohibited or illegal sign, signal, marker or device shall be reported by the Chief of Police to the Village Board for review and certification at its next regular meeting following the imposition of the charge. Any charge not paid on or before the next succeeding November 15 shall be placed upon the tax roll for collection as other special municipal taxes.

**§ 496-3. Speed limits.** [Amended by Ord. No. 2-86]

The Village Board hereby determines that the statutory speed limits on the following streets or portions thereof are unreasonable, unsafe and imprudent and modifies such speed limits as follows:

- A. Fifteen miles per hour.

- (1) Pineries Road in the Little Plover River Park.
- B. Thirty miles per hour.
  - (1) Post Road (Business STH 51) from a point 0.2 of a mile south of STH 54 northerly to Cedar Drive.
- C. Thirty-five miles per hour.
  - (1) Hoover Avenue from the south corporate limits of the Village to the north corporate limits of the Village.
  - (2) Lincoln Avenue from a point 50 feet south of STH 54 to the south corporate limits of the Village.<sup>2</sup>
  - (3) STH 54 from Post Road (Business STH 51) to Wilson Avenue.
  - (4) Maple Drive from STH 54 east to Hoover Avenue. [Added by Ord. No. 29-90]
- D. Forty miles per hour.
  - (1) STH 54 from Wilson Avenue westerly for a distance of 0.66 of a mile.
  - (2) Post Road (Business STH 51) from Cedar Drive to the north corporate limits of the Village.
- E. Fifty-five miles per hour.
  - (1) Business STH 51 from a point 0.2 of a mile south of STH 54 to the south corporate limits of the Village.
  - (2) STH 54 from a point 0.66 of a mile west of Wilson Avenue to the west corporate limits of the Village.

**§ 496-4. Stop and yield signs.**

- A. Designation of location of stop and yield signs. In the interest of public safety, the Village Board, by resolution, has designated the location of stop and yield signs within the Village and has ordered the installation of such signs. In addition, the location of such signs is indicated on the Official Traffic Map of the Village pursuant to § 496-2 of this chapter.
- B. Designation of temporary stop signs. Under circumstances that create a temporary traffic hazard and where the Chief of Police deems that public safety requires it, the Chief, with the cooperation of the Village Engineer, may erect temporary stop signs. Such signs shall be removed when the traffic hazard no longer exists.

**§ 496-5. Parking regulations.**

- A. Parking prohibited at all times. Except temporarily for the purpose of and while actually engaged in receiving or discharging passengers and while the vehicle is attended by a

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2. Editor's Note: Original § 7.03(3)(c), which immediately followed this subsection and listed a portion of Cleveland Avenue, was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

licensed operator so that it may be moved promptly in case of an emergency or to avoid obstruction of traffic, no person shall at any time park or leave standing any vehicle in any area signed "No Parking" and so designated on the Official Traffic Map pursuant to § 496-2 of this chapter.

- B. Tow-away zones. Except temporarily for the purpose of and while actually engaged in receiving or discharging passengers and while the vehicle is attended by a licensed operator so that it may be moved promptly in case of an emergency or to avoid obstruction of traffic, no person shall at any time park or leave standing any vehicle in any area signed "Tow-Away Zone" and so designated on the Official Traffic Map pursuant to § 496-2 of this chapter. Any person who violates this subsection shall be subject to a forfeiture of \$25 plus the cost of towing.
- C. Angle parking. Angle parking is permitted in such areas indicated by diagonal parking lines.
- D. Shared ride parking. Twenty-four-hour shared ride parking is permitted in the Veterans Memorial Park south parking lot on the north side of School Street. [Added by Ord. No. 34-94<sup>3</sup>]
- E. No parking except for authorized vehicles. No person shall park any vehicle, except designated authorized vehicles, in front of the fire station on Post Road, except for authorized fire and police personnel only.
- F. Winter parking regulated. No person shall park any vehicle on any street in the Village or in the Plover Municipal Center or Town Hall parking lots between the hours of 2:00 a.m. and 7:00 a.m. from November 1 through April 1. [Amended by Ord. No. 31-93; Ord. No. 34-94]
- G. Miscellaneous parking restrictions.
  - (1) Declaration of snow emergency and parking regulations. When the Village President or his designated representative, pursuant to § 166.23, Wis. Stats., shall declare a snow emergency by reason of heavy snow or blizzard, no person shall park, stop or leave standing any vehicle upon the streets or any portion of the streets whenever snow falls during any period of 24 hours or less and reaches a depth or conditions that constitute a serious public hazard impairing transportation and public health, safety and welfare. Such emergency is declared to continue for a period of 48 hours or until such earlier time as snowplowing operations have been declared completed by the Public Works Manager. [Amended by Ord. No. 40-89]
    - (a) Exceptions. Whenever such an emergency exists and the Village President or his designated representative shall have caused an announcement thereof to be made by Village web site, radio and/or television broadcast stations whose normal operating range covers the Village, no person shall park or allow to be parked any vehicle of any kind or description upon any public street, highway or alley within the Village, except that vehicles may be parked, stopped or left standing for a period of 10 minutes for actual loading or unloading of

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3. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

passengers, or 30 minutes for actual loading or unloading of property, and provided further that no other regulations restricting parking as to place, time or manner are violated thereby. The provisions of this subsection shall not apply to physicians and emergency calls and/or vehicles.<sup>4</sup>

- (b) Posting signs. Pursuant to the provisions of § 349.13(1e), Wis. Stats., the Public Works Manager is directed to erect or place official traffic signs at or reasonably near the corporate limits of the Village on all state and county trunk highways and connecting highways informing motorists that night parking regulations and snow emergency regulations are in effect in the Village.
  - (c) Snow tow-away zones. The Chief of Police or his designated representative is hereby authorized to cause the towing away of vehicles parking in violation of this Subsection G(1), and the cost of moving said vehicles shall be added as a cost to the penalty assessed for the illegal parking of the vehicles.
- (2) Street maintenance. Whenever it is necessary to clear or repair a Village roadway or any part thereof, the Department of Public Works shall post such highways or parts thereof with signs bearing the words "No Parking - Street Maintenance Work." Such signs shall be erected at least two hours prior to the time that street maintenance work is to be commenced. No person shall park a motor vehicle in violation of such signs.<sup>5</sup>
  - (3) Parking in driveways. No person shall park or leave standing any motor vehicle in any private driveway without permission of the owner or lessee of the property upon which such driveway is located, whether or not such driveway is posted to limit or restrict parking.
  - (4) Parking heavy vehicles in residential districts. No owner/operator of a motor truck, truck-trailer, trailer or semitrailer may park on any street right-of-way or within the front setback, including the driveway, except for such time as is reasonably necessary to facilitate the loading or unloading of the vehicle. Exceptions to this subsection may be granted through the conditional use permit process on an individual basis. [Added by Ord. No. 8-85]
  - (5) Parking on traveled portion of street or highway. No person shall park or leave standing any motor vehicle with any portion of the vehicle or its wheels extending upon the traveled portion of the street or highway if the same represents a present or potential hazard to vehicles traveling lawfully upon said street or highway. [Added by Ord. No. 29-86]
  - (6) Parking prohibited during certain times. No person shall park, place or leave standing any automobile, truck or other vehicle, as follows: [Added by Ord. No. 35-88]
    - (a) On the north side of Roosevelt Drive from Wisconsin Avenue east to Madison Avenue between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, when school is in session.

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4. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

5. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

- (b) On the south side of Roosevelt Drive from Madison Avenue to Washington Avenue, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, when school is in session. [Added by Ord. No. 25-90<sup>6</sup>; Amended by Ord. No. 11-09]
  - (c) On the south side of Airline Road from Hoover Avenue east 900 feet, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, when school is in session. [Added by Ord. No. 18-99; Amended by Ord. No. 11-09; Amended by Ord. No. 18-10; Amended by Ord. No. 2-15]
  - (d) On the west side of Holly Lane from its intersection with Airline Rd. north to Green Tree Drive between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, when school is in session. [Added by Ord. No. 2-15]
  - (e) On the east side of Wisconsin Avenue from a point 90 feet north of the intersection with School Drive to a point 270 feet north, from 8:30 a.m. to 4:30 p.m. during school hours or during school events [Added by Ord. No. 10-00; Amended by Ord. No. 11-09; Amended by Ord No. 2-15]
  - (f) On the south side of School Drive from Madison Avenue to Washington Avenue, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, when school is in session. [Added by Ord. No. 3-15]
  - (g) On the north side of School Drive from a point 25 feet east of its intersection with Wisconsin Ave. east 345 feet, from 8:30 a.m. to 4:30 p.m. during school hours or during school events. [Added by Ord. No. 3-15]
  - (h) Unlimited handicap parking is allowed on the west side of Wisconsin Avenue from a point 68 feet north of the intersection with School Drive to a point 125 feet north of School Drive (two parking spaces). [Added by Ord. No. 10-00; Amended by Ord. No. 5-14; Amended by Ord. No. 2-15; Amended by Ord. No. 3-15]
  - (i) Fifteen minute angle parking is allowed during the hours of 8:30 p.m. to 4:30 p.m. during school days on the north side of School Drive from a point 30 feet west of the intersection with Wisconsin Avenue to a point 90 feet west.<sup>7</sup> [Added by Ord. No. 10-00; Amended by Ord. No. 5-14; Amended by Ord. No. 2-15; Amended by Ord. No. 3-15]
  - (j) No vehicle(s) shall be parked within any Village park parking areas when such parks are closed. Owners may park in Village park parking areas while the park is closed only with permission of the Public Works Manager or his duly authorized representative or the Chief of Police or his duly authorized representative.<sup>8</sup> [Amended by Ord. No. 2-15; Amended by Ord. No. 3-15]
- (7) Parking prohibited at all times. No person shall park, place or leave standing any automobile, truck or other vehicle in the following locations: [Added by Ord. No. 14-

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6. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

7. Editor's Note: Original § 7.05(6)(f)7, which immediately followed this subsection and was added by Ord. No. 27-05, was repealed by Ord. No. 3-06.

8. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Airline Road [Added by Ord. 8-08]	North	From its intersection with Hoover Avenue southeast to Roger's Dr.
Adams Street [Added by Ord. No. 12-95]	East	From its intersection with Plover Springs Drive north 295 feet
American Drive [Added by Ord. No. 26-95]	North and south	Entire length
Burin Court [Added by Ord. No. 23-02; amended by Ord. No. 17-05]	East	From the intersection of Springville Drive southwest through the cul-de-sac
Ann Marie Drive [Added by Ord. No. 16-12]	East	From its intersection with Page Dr. north to Patti Dr.
Cedar Drive [Added by Ord. No. 32A-92]	North	From Post Road east to Madison Avenue
Cedar Drive [Amended by Ord. No. 15-98]	North and south	From Hoover Avenue west to a point 180 feet west of the intersection of Mecca Drive and Cedar Drive
Chestnut Drive [Added by Ord. No. 31-94]	North and south	From the west right-of-way line of Earhart Avenue east to Post Road
Chestnut Drive [Added by Ord. No. 13-12]	North and south	From its intersection with Washington Ave. east to termini
Chippewa Drive [Added by Ord. No. 23-02; amended by Ord. No. 17-05]	South	From the intersection of Pineries Road east 200 feet
Chippewa Drive [Added by Ord. No. 7-16-10]	South	From the intersection of Hoover Avenue west to the intersection of Birch Dr.
Cleveland Avenue [Added by Ord. No. 6-95; amended by Ord. No. 17-99]	East and west	From the face of the south curb of STH 54 south 135 feet
Commons Circle [Added by Ord. No. 15-05; amended by Ord. No. 17-05]	North, south, east and west	Entire length

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9. Editor's Note: Original § 7.05(6)(g)15 which appeared in this subsection was repealed by Ord. No. 9-00.

Crossroads Drive [Added by Ord. No. 15-05; amended by Ord. No. 17-05]	East and west	Entire length
Disk Drive [Added by Ord. No. 10-11]	South	From its intersection with Village Park Drive east 660 feet
Dodd's Drive [Added by Ord. No. 20-01; amended by Ord. No. 17-05]	North and west	From Okray Avenue and continuing 332 feet
Elm Street [Added by Ord. No. 4-20]	North	From the intersection of Hoover Avenue west to the intersection of Willard Street
Evergreen Drive [Added by Ord. No. 7-03; amended by Ord. No. 17-05]	Both	From the intersection of Gerri Court southward to a point 100 feet south of Patti Drive
Fox Lane [Added by Ord. No. 8-00]	East and west	From Robert's Road north 275 feet
Hoover Avenue [Added by Ord. No. 19-03; amended by Ord. No. 17-05]	East	From Maple Drive 775 feet south
Hoover Avenue [Added by Ord. No. 23-02; amended by Ord. No. 17-05]	East and west	From the intersection of Airline Road/Chippewa Drive south to Pineries Road
Lake Pacawa boat landing access road [Added by Ord. No. 13-05; amended by Ord. No. 17-05]	East and west	Entire length from Maple Drive south including the boat landing area
Mall Road [Added by Ord. No. 26-95; amended by Ord. No. 9-00]	East and west	From CTH B north to the Wisconsin Central Railroad tracks
Maple Drive [Added by Ord. No. 31-92; amended by Ord. No. 23-94; Ord. No. 24-99; Ord. No. 13-05; Ord. No. 3-06]	North and south	From the eastern end west to Hoover Avenue, except for angle parking allowed on the south side of Maple Drive beginning 332 feet east of Village Park Drive for a distance of 112 feet east
Mecca Drive [Amended by Ord. No. 15-98]	East	From its intersection with Cedar Drive 256.73 feet north
Mecca Drive [Amended by Ord. No. 15-98]	West	From its intersection with Cedar Drive 184.47 feet north



Menard's Drive [Added by Ord. No. 13-05; amended by Ord. No. 17-05]	East and west	Entire length
Meridian Drive [Added by Ord. No. 15-05; amended by Ord. No. 17-05]	North and south	Entire length
Park Avenue [Added by Ord. No. 13-05; amended by Ord. No. 17-05]	Both	Entire length
Patti Drive [Added by Ord. No. 7-03; amended by Ord. No. 17-05]	Both	From the intersection of Evergreen Drive eastward 100 feet and westward 100 feet
Patti Drive [Added by Ord. No. 16-12]	East	From its intersection with Forest Dr. north to Ann Marie Dr.
Patti Drive [Added by Ord. No. 16-12]	West	From its intersection with Forest Dr. north 155 feet
Pine Drive [Added by Ord. No. 4-03; amended by Ord. No. 17-05]	North and south	For the first 25 feet west of Washington Avenue
Pineries Road [Added by Ord. No. 23-02; amended by Ord. No. 17-05]	East and west	From the intersection of Chippewa Drive south 150 feet
Plover Springs Drive [Added by Ord. No. 11-10]	North and south	From the intersection of Adams Street west to the intersection of Post Road
Porter Road [Added by Ord. No. 23-02; amended by Ord. No. 17-05]	South	From the intersection of Post Road east 165 feet
Robert's Drive [Added by Ord. No. 8-00]	North	From Chippewa Drive to a point 355 feet east of Post Road
Robert's Drive [Added by Ord. No. 8-00]	South	Between Chippewa Drive and Post Road
Roger's Drive [Added by Ord. No. 11-03; amended by Ord. No. 17-05]	East	Entire length from Airline Drive north
Roosevelt Drive [Amended by Ord. No. 23-02]	North and south	Between Post Road and Wisconsin Avenue
Roosevelt Drive [Added by Ord. No. 17-05]	South	From the intersection with Washington Avenue to a point 70 feet west
Roosevelt Drive [Added by Ord. No. 10-00]	South	From the intersection with Wisconsin Avenue to a point 60 feet east
Roosevelt Drive [Added by	South	From a point 270 feet east

Ord. No. 10-00]		of the intersection with Wisconsin Avenue to a point 380 feet east
School Drive [Added by Ord. No. 10-00; amended by Ord. No. 17-02; Ord. No. 17-05]	North	From the intersection of Wisconsin Avenue to a point 30 feet west and from the intersection of Post Road to a point 320 feet east
School Drive [amended by Ord. No. 3-15]	South	Between Madison Avenue and Wisconsin Avenue
School Drive [Added by Ord. No. 35-94; amended by Ord. No. 17-02; amended by Ord. No. 11-09]	South	From the intersection of Wisconsin Avenue to a point 73 feet west and from the intersection of Post Road to a point 290 feet east
Theater Drive [Added by Ord. No. 24-97]	East	Entire length
Village Park Drive [Added by Ord. No. 13-05; amended by Ord. No. 17-05]	East and west	Entire length
Vineyard Drive [Added by Ord. No. 12-13]	North	From its intersection with Wisconsin Ave. 100 feet east
Vineyard Drive [Added by Ord. No. 7-20]	North	From the intersection of Madison Avenue east to the intersection of Washington Avenue
Wanta Drive [Added by Ord. No. 23-02; amended by Ord. No. 17-05]	North and south	From the intersection of Theater Drive west 530 feet
Washington Avenue [Added by Ord. No. 4-03; amended by Ord. No. 17-05]	West	From the intersection of Pine Drive 25 feet north and 25 feet south
Wisconsin Avenue [Added by Ord. No. 10-00; amended by Ord. No. 17-05]	East	From the intersection of School Drive to a point 90 feet north
Wisconsin Avenue [Added by Ord. No. 35-94; Amended by Ord. No. 11-09]	East	Starting at School Drive 119 feet south
Wisconsin Avenue [Added by Ord. No. 11-09]	West	Starting at School Drive 64 feet south
Wisconsin Avenue [Added	East or west	From its intersection with

by Ord. No. 16-94; amended by Ord. No. 31-94]		Roosevelt Drive to a point 80 feet north
Wisconsin Avenue [Amended by Ord. No. 10-00; amended by Ord. No. 5-14]	West	From Roosevelt Drive south to a point 125 feet north of School Drive
Wisconsin Avenue [Added by Ord. No. 10-00; amended by Ord. No. 17-05; amended by Ord. No. 5-14]	West	From the intersection with School Drive to a point 68 feet north
Wisconsin Avenue [Added by Ord. No. 10-00; amended by Ord. No. 17-05; amended by Ord. 5-14]	West	From a point 68 feet north of the intersection with School Drive to a point 125 feet north (establishes 2 unlimited handicap parking spaces)
Wisconsin Avenue [Added by Ord. No. 12-13]	East	From its intersection with CTH B (Plover Rd.) south to Vineyard Drive

- H. Removal of illegally parked vehicles. Any vehicle parked or left standing upon a highway, street or alley or other public grounds in violation of any of the provisions of this section or § 496-1 of this chapter is declared to be a hazard to traffic and public safety. Such vehicle shall be removed by the operator, upon request of any police officer, to a position where parking, stopping or standing is not prohibited. Any police officer, after issuing a citation for illegal parking, stopping or standing of an unattended vehicle in violation of this chapter, is authorized to remove such vehicle to a position where parking is not prohibited. The officer may order a motor carrier holding a permit to perform vehicle towing services, a licensed motor vehicle salvage dealer or a licensed motor vehicle dealer which performs vehicle towing services to remove and store such vehicle in any storage garage or rental parking grounds or any facility of the person providing the towing services. In addition to other penalties provided by § 496-16 of this chapter, the owner or operator of a vehicle so removed shall pay the cost of towing and storage.
- I. Registration record of vehicle as evidence. When any vehicle is found upon a street or highway in violation of any provision of this chapter regulating the stopping, standing or parking of vehicles and the identity of the operator cannot be determined, the owner, as shown by the ownership registration of the vehicle supplied by the Wisconsin Department of Transportation or a comparable authority of any other state, shall be subject to the appropriate penalty.
- J. Unlawful removal of parking citations. No person other than the owner or operator thereof shall remove a Village parking ticket from a motor vehicle.

**§ 496-6. Heavy traffic routes; heavy equipment.** [Amended by Ord. No. 7-96]

- A. Village heavy traffic routes established. Pursuant to § 349.17, Wis. Stats., the Village hereby designates all marked federal highways, state highways or county trunks and such Village streets as shall be so designated and established by ordinance and proper signing in the future as heavy traffic routes. Said heavy traffic route system shall be for the operation of all heavy traffic and shall also be known as "truck routes."
- B. Definitions. As used in this section, the following terms shall have the meanings indicated:
- HEAVY EQUIPMENT — Includes but is not limited to any steel-track-type equipment, backhoes/excavators, dozers, front end loaders, skid steers, etc.<sup>10</sup>
- HEAVY TRAFFIC — All vehicles or combination of vehicles, other than motor buses, designed or used for transporting property of any nature and having a gross weight of more than 15,000 pounds and also all vehicles not operating completely on pneumatic tires.
- C. Regulation of weight. It shall be unlawful for any person to operate any motor vehicle whose weight is in excess of 15,000 pounds over any street in the Village which is not a county trunk, state highway or federal highway, or which has not been designated as a Village heavy traffic or truck route, except as follows:
- (1) For the purpose of obtaining, moving or delivering supplies, commodities or equipment, any such vehicle may deviate from the heavy traffic route system if such vehicle travels between the nearest heavy traffic route and its destination by the shortest, most practicable route available.
  - (2) For the purpose of going to and from the place the vehicle is kept by the owner and/or operator if such location cannot be reached by use of the heavy traffic or truck route system.
  - (3) For the purpose of going to and from points within the Village to have the vehicle serviced or repaired or while being tested if such location cannot be reached by use of the heavy traffic or truck route system.
  - (4) For the passage of vehicles operated for the purpose of performing maintenance on Village streets or installations, snow removal, street cleaning or refuse removal or curbside pickup and for the passage of vehicles involved in maintenance or repair of public utility installations within the Village.
  - (5) For the passage of emergency vehicles.
- D. Notice. Notice of the existence of the heavy traffic or truck route system shall be posted at all entrances to the corporate limits of the Village. Any Village streets designated as heavy traffic or truck routes in the future shall be properly signed and posted on a map maintained in the Village Clerk's office.
- E. Temporary prohibition or regulation.
- (1) Pursuant to § 349.16, Wis. Stats., the Public Works Manager may:
    - (a) Impose special weight limitations on any Village street or portion thereof

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<sup>10</sup>. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

which, because of weakness of the roadbed due to deterioration or climatic conditions or other special or temporary conditions, would likely be seriously damaged or destroyed in the absence of said special limitations.

- (b) Impose special weight limitations on bridges or culverts when it is judged that such bridge or culvert cannot safely sustain the maximum weight permitted by statute.
  - (c) Order the owner or operator of any vehicle being operated on a Village street to suspend operation if in the judgment of the Public Works Manager such vehicle is causing or is likely to cause injury to such Village street or is visibly injuring the permanence thereof or the public investment therein.<sup>11</sup>
- (2) Imposition of the special weight limitations set forth herein shall be done by erecting signs on or along the Village streets on which it is desired to impose the limitation sufficient to give reasonable notice that a special weight limitation is in effect and the nature of that limitation.
- F. Heavy equipment loading and unloading. Provisions shall be made to protect all road surfaces from any equipment that is equipped with down riggers/pads for stabilizing of equipment.<sup>12</sup>

**§ 496-7. Abandoned vehicles.**

- A. Abandonment of vehicles prohibited. No person shall abandon any vehicle unattended within the Village for such time and under such circumstances as to cause the vehicle to reasonably appear to be abandoned.
- B. Definition. As used in this section, "vehicle" means a motor vehicle, trailer, semitrailer or mobile home, whether or not such vehicle is registered under Ch. 341, Wis. Stats.
- C. Presumption of abandonment. Any vehicle left unattended for more than 48 hours on any public street or grounds, or on private property where parking is prohibited, limited or restricted without the permission of the owner or lessee, is deemed abandoned and constitutes a public nuisance, provided that the vehicle shall not be deemed abandoned under this section if left unattended on private property out of public view, by permission of the owner or lessee.
- D. Exceptions. This section shall not apply to a vehicle in an enclosed building or a vehicle in an appropriate storage place or depository maintained in a lawful place and manner authorized by the Village.
- E. Removal and impoundment or sale. Any vehicle found abandoned in violation of this chapter shall be impounded by the Police Department until lawfully claimed or disposed of as provided in this section. If the Chief of Police or his duly authorized representative determines that towing costs and storage charges for 14 days, as provided in Subsection F below, would exceed the value of the vehicle, the vehicle may be junked or sold prior to

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11. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

12. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

the expiration of the impoundment period upon determination by the Chief of Police or his duly authorized representative that the vehicle is not wanted for evidence or any other reason, provided that vehicles in excess of 19 model years of age shall be sold or disposed of only by auction sale or sealed bid in accordance with Subsection H below.<sup>13</sup>

- F. Minimum impoundment period. The minimum period of impoundment or storage of a vehicle found in violation of this section shall be 14 days.
- G. Notice to owner. The police officer removing or causing the removal of any vehicle found in violation of this section shall immediately notify the Chief of Police or his duly authorized representative of the abandonment and location of the impounded vehicle and shall within 10 days thereafter notify the owner and lien holders of record, by certified mail, of the impoundment and of their right to reclaim the vehicle. The notice shall set forth the information contained in § 342.40(3), Wis. Stats., and shall state that the failure of the owner or lien holders to exercise their right to reclaim the vehicle shall be deemed a waiver of all right, title and interest in the vehicle and a consent to sale of the vehicle.<sup>14</sup>
- H. Sale. Each retained vehicle not reclaimed by the owner or lienholder may be disposed of by sealed bid or auction sale as provided in § 342.40(3), Wis. Stats.
- I. Sale to bar claims against vehicle. The sale of a motor vehicle under the provisions of this section shall forever bar all prior claims thereto and interest therein except as hereinafter provided.
- J. Purchaser to remove vehicle. The purchaser of any vehicle on sealed bid or auction sale under Subsection H above shall have 10 days to remove the vehicle from the storage area upon payment of a storage fee as provided in the Village Fee Schedule<sup>15</sup> for each day the vehicle has remained in storage after the second business day subsequent to the sale date. Ten days after the sale, the purchaser shall forfeit all interest in the vehicle and the vehicle shall be deemed to be abandoned and may be again sold.
- K. Request for list. Any listing of vehicles to be sold pursuant to this section shall be made available by the Village Administrator to any interested person or organization who or which makes a written request therefor for a fee as provided in the Village Fee Schedule.
- L. Notice to Department. Within five days after sale or disposition of a vehicle under this section, the Village Administrator shall advise the Wisconsin Department of Transportation of such sale or disposition on a form supplied by the Department.
- M. Owner may file. At any time within two years after the sale of a motor vehicle as provided herein, any person claiming ownership of such motor vehicle or a financial interest therein may present a claim to the Village Board setting forth such facts as are necessary to establish such ownership or interest and that the failure of the claimant to reclaim the vehicle prior to sale was not the result of the neglect or fault of claimant. If the Village Board is satisfied as to the justice of such claim, it may allow the same, but in no case shall

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13. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

14. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

15. Editor's Note: See Ch. A600, Fees.

the amount allowed exceed the sum paid into the Village treasury as a result of the sale of such motor vehicle nor the amount of interest of the claimant therein.

- N. Exemption. Any owner or person operating a registered vehicle which shall become disabled or inoperative for any reason and who shall be unable to cause removal of such vehicle from any alley, street, highway or public place not otherwise regulated as a restricted parking, stopping or standing zone shall, within 12 hours of such occurrence, notify the Police Department of the location of the vehicle and shall transfer and deliver clear title for said vehicle to the Village together with a fee as provided in the Village Fee Schedule to offset the cost of junking charges along with the actual cost of towing and shall be exempt from the provisions of this section. When so requested by the owner or person in charge of a vehicle, the Chief of Police or his duly authorized representative shall be authorized to order such vehicle removed and junked directly from the scene of disablement by a contractor engaged by the Village for towing of disabled vehicles. The provisions of Subsection L above shall apply to any vehicle removed under this subsection.<sup>16</sup>
- O. Penalty. In addition to the cost of impounding and disposing of an abandoned vehicle, any person convicted of abandoning a vehicle in the Village shall be subject to a forfeiture of not less than \$50 nor more than \$100 plus the cost of prosecution.

**§ 496-8. Display of speed or power; excessive noise; off-road operation.** [Added by Ord. No. 41-89]

- A. No person while operating a motor vehicle shall engage in any speed contest, exhibition of speed or any unreasonable or unnecessary acceleration or show of power on any street, alley or public parking lot in the Village, including all school parking lots within the Village.<sup>17</sup>
- B. No person shall operate a motor vehicle in a boisterous, unreasonably loud or otherwise disorderly manner under circumstances in which said operation tends to cause or provoke a disturbance.
- C. No person shall operate a motor vehicle off of a street or highway right-of-way on public or private property without the prior permission of either the Village or owner or lessor of the private property. The lack of damage to public or private property shall not be a defense to this motor vehicle trespass violation.

**§ 496-9. Traffic and parking regulations on School District grounds.**

Pursuant to the provisions of § 118.105, Wis. Stats., the following regulations shall apply to the grounds of the Stevens Point School District located within the Village:

- A. School District parking and speed regulated. All parking on the grounds of the Stevens Point School District from 7:30 a.m. to 4:30 p.m. shall be restricted to areas designated for parking by the School Board. When signs are erected by the School Board giving notice of such restrictions, all persons shall park only in areas designated and signed for visitor

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<sup>16</sup>. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

<sup>17</sup>. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

parking. There shall be no parking on said grounds between 11:00 p.m. and 6:00 a.m., except when school functions extend past 11:00 p.m.; on such nights there shall be no parking one hour after the function has concluded.

- B. Speed limits. No person shall at any time operate a motor vehicle upon the Stevens Point School District grounds at a speed in excess of 10 miles per hour.
- C. Vehicles prohibited at specified times. No person shall at any time operate a motor vehicle, other than a school bus and emergency vehicle, in or upon any drive designated for buses only by sign during the hours of 7:30 a.m. to 9:00 a.m. and during the hours of 3:00 p.m. to 4:30 p.m. on any weekday during the months school is in session.

**§ 496-10. School crossing guards.** [Added by Ord. No. 31-88]

- A. Appointment. Pursuant to the provisions of § 349.215, Wis. Stats., adult school crossing guards may be appointed to protect persons, particularly school children, who are crossing a highway in the vicinity of any school in the Village.
- B. Regulations. The number of school crossing guards, the placing of said school crossing guards, the duty hours of the guards and their compensation shall be established by the Village Board, pursuant to the recommendation of the Police and Fire Commission.
- C. Guard dress and equipment. All adult school crossing guards shall wear, while on duty, insignia or uniforms designating them as school crossing guards and shall be equipped with signals or signs to direct traffic to stop at school crossings. The selection of the insignia or uniforms to be worn by guards shall be determined by the Police and Fire Commission.
- D. Vehicle requirements. Pursuant to § 346.46(2m), Wis. Stats., every operator of a motor vehicle approaching a school crossing controlled by an adult school crossing guard shall follow the direction of the guard. The operator shall stop his vehicle not less than 10 feet nor more than 30 feet from the school crossing and shall remain stopped until the school crossing guard directs the operator to proceed.
- E. Penalties.
  - (1) Any operator of a motor vehicle failing to follow the directions of an adult school crossing guard may be required to forfeit not less than \$20 nor more than \$40 for the first offense and not less than \$50 nor more than \$100 for the second or subsequent conviction within one year.
  - (2) Any operator of a bicycle failing to follow the directions of any adult school crossing guard may be required to forfeit not more than \$20.

**§ 496-11. Snowmobiles and other off-highway vehicles.** [Amended by Ord. No. 7-12]

- A. State snowmobile laws adopted. Except as otherwise specifically provided in this chapter, the current and future statutory provisions in Chs. 346 and 350, Wis. Stats., describing and defining regulations with respect to snowmobiles, exclusive of any provisions relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment, are hereby adopted and by reference made a part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by any



statute incorporated herein by reference is required or prohibited by this chapter. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this chapter in order to secure uniform statewide regulation of snowmobiles on the highways, streets and alleys of the Village of Plover.<sup>18</sup> [Amended by Ord. No. 15-88<sup>19</sup>]

- B. Operation of snowmobiles from residence or lodging establishment to snowmobile route or trail. [Amended by Ord. No. 2a-96]
- (1) Pursuant to § 350.18(3)(a), Wis. Stats., no person shall operate a snowmobile on a roadway or shoulder other than the following: on the extreme right side of the roadway or shoulder traveling with the flow of traffic.
  - (2) Snowmobiles are to be operated in single file.
  - (3) Headlights are to be on at all times.
  - (4) Snowmobile operators shall yield the right-of-way to other vehicular traffic and pedestrians.
  - (5) This section designates Village streets (excluding state and county trunk highways) for snowmobile travel from a residence and lodging establishment within the limits of the Village of Plover, Portage County, Wisconsin, for the shortest distance that is necessary for a person to operate a snowmobile to the snowmobile route or trail that is closest to that residence or lodging establishment, subject to the Portage County snowmobile route or trail being open at the time of operation. [Amended by Ord. No. 28-00<sup>20</sup>]
  - (6) Speed. A snowmobile operated on the extreme right side of the roadway or shoulder of a highway pursuant to this section shall observe roadway speed limits.
  - (7) This section shall be enforced by any law enforcement officer of the Village of Plover, Portage County, Wisconsin.
  - (8) Penalties. Wisconsin state snowmobile penalties as found in § 350.11(1)(a), Wis. Stats., are adopted by reference.
- C. Permitting operation by improper persons prohibited. No owner or person having charge or control of a snowmobile shall authorize or permit any person to operate such snowmobile who is not permitted under state law to operate such snowmobile or who is under the influence of an alcohol beverage or a controlled substance.
- D. Operation while under influence prohibited. Section 346.63, Wis. Stats., shall apply to the operation of a snowmobile at any location within the Village.
- E. Additional restrictions relating to off-highway vehicles.

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18. Editor's Note: Original § 7.10(2), Applicability of rules of the road to snowmobiles, which immediately followed this subsection, was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

19. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

20. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

- (1) No person shall operate an off-highway vehicle in the Village in the following manner:
    - (a) At an unreasonable or imprudent speed.
    - (b) In a careless manner so as to endanger any person or property.
    - (c) While under the influence of an alcohol beverage or a controlled substance.
    - (d) Without a functioning muffler and exhaust system which reasonably limits exhaust noise.
  - (2) It shall be unlawful to operate motor-driven craft (other than snowmobiles) or vehicles principally manufactured for off-highway use on Village streets, alleys, parks, parking lots or on any Village property, other public lands, private lands or parking lots held open to the public. [Added by Ord. No. 14-01]
- F. Written consent of owner required. The consent required under § 350.10(1)(f), (k), (L), and (m), Wis. Stats., shall be written consent dated and limited to the year in which the consent is given. If the property is owned or leased by more than one person, the consent of each must be obtained.
- G. Golf cart crossing requirements with the Auburn Ridge on the River Subdivision. Golf carts will be allowed to cross from a private driveway on Timber View Drive and Timber Ridge Drive to access the private golf cart path. All operators of golf carts will stop and yield the right-of-way to all vehicles on the roadway before crossing the roadway. "Golf cart crossing signs" shall be constructed at the Timber View Drive/River Drive, Timber View Drive/Timber Ridge Drive, and Timber Ridge Drive/River Drive intersections to designate approved golf cart right-of-way crossing locations.

**§ 496-12. Bicycles.**

- A. Registration required. No person shall ride or operate a bicycle customarily kept within the Village on any street, alley or roadway unless such bicycle has been properly registered and an identification sticker attached to the bicycle as herein provided.
- B. Application for bicycle registration. Application for a bicycle registration sticker shall be made on a form provided by the Chief of Police. This application shall constitute the registration of such bicycle. If any person acquires any registered or unregistered bicycle, he shall immediately register such bicycle with the Police Department, except that a person who acquires a bicycle from a member of the immediate family need not reregister.
- C. Registration sticker. The Chief of Police shall furnish to each registrant an identification sticker serially numbered to correspond with the registration number. Such sticker shall be affixed to the bicycle and remain so affixed until removed for replacement with another sticker upon registration.
- D. Registration fee. The registration fee for each bicycle shall be as provided in the Village Fee Schedule for the period the bicycle is owned by the registered owner or a member of

the immediate family.<sup>21</sup>

- E. Traffic ordinances apply to bicycle operators. Every person propelling or riding a bicycle upon a public roadway shall be subject to the provisions of all Village ordinances and state laws applicable to the operator of any vehicle, except those provisions which, by their nature, would have no application.
- F. Operating bicycles on sidewalks. Any person may operate a bicycle on Village sidewalks, subject to the following restrictions:
  - (1) Bicycles shall be operated at a moderate speed when no pedestrian is in the area, and at a slow speed and shall yield when pedestrians are present.
  - (2) Persons operating bicycles shall ride in single file.<sup>22</sup>
- G. Riding bicycles on the roadway.
  - (1) Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.
  - (2) Persons operating bicycles upon the roadway shall ride single file.
  - (3) No person operating a bicycle upon the public roadway shall participate in any race or speed or endurance contest with any other vehicle.
  - (4) Every person operating a bicycle upon a public roadway shall stop for all arterial highway and automatic traffic signals.
- H. Penalties.
  - (1) Any person who shall violate any provision of Subsections A through D above shall be subject to a penalty of not more than \$25.
  - (2) Any person who shall violate any provision of Subsections E through G above shall forfeit not more than \$10 or the court may prohibit such person from riding a bicycle for six months or less and may order such person's registration sticker and card confiscated.

**§ 496-13. In-line skates, roller skis and play vehicles.** [Added by Ord. No. 10-01]

- A. Definitions. As used in this section, the following terms shall have the meanings indicated:
  - IN-LINE SKATES — Skates with wheels arranged singly in a tandem line rather than in pairs.
  - PLAY VEHICLE — A coaster, skateboard, roller skates, sled, toboggan, unicycle or toy vehicle upon which a person may ride.
- B. This section is in addition to provisions of the Wisconsin Statutes applicable to in-line skates and play vehicles, which are adopted by reference in § 496-1 of this chapter.

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21. Editor's Note: See Ch. A600, Fees.

22. Editor's Note: Original § 7.11(7), which immediately followed this subsection, was repealed by Ord. No. 8-86.

- C. No person may operate or ride in-line skates, roller skis or play vehicles in any of the following places:
  - (1) On any public property where signs prohibit it.
  - (2) On any private property unless written permission has been received from the owner, lessee or person in charge of that property. Written permission must be carried with the person using that property during such use.
- D. Operating in-line skates on Village streets is permitted with the following restrictions:
  - (1) Operation must be on the far right-hand portion of the roadway in the same direction as vehicle traffic, and in-line skates must be ridden in a careful and prudent manner and with due regard under the circumstances for the safety of all persons using the roadway.
  - (2) Operation must be single file or not interfere with vehicular traffic, and all official traffic signs must be obeyed.
  - (3) Operation on state and county trunk highways is prohibited.
  - (4) Operators must use sidewalks or bike paths that are adjacent to Village streets.
- E. It shall be lawful for operators of in-line skates, roller skis or play vehicles to use this equipment on sidewalks, provided that they shall ride in a careful and prudent manner and with due regard under the circumstances for the safety of all persons using the sidewalk. Such operators shall yield the right-of-way to pedestrians using sidewalks and shall not otherwise endanger or interfere with pedestrian traffic on those sidewalks.
- F. This section does not apply to or restrict any person from riding upon in-line skates or upon any play vehicle while crossing a roadway at a crosswalk.
- G. Whoever violates this section is subject to a forfeiture not to exceed \$25 and in default of payment shall be imprisoned for not more than five days in the county jail.<sup>23</sup>

**§ 496-14. Motor-assisted scooters.** [Added by Ord. No. 10-04]

- A. Definition. "Motor-assisted scooter" means a self-propelled device with:
  - (1) Two wheels in tandem in contact with the ground during operation;
  - (2) A braking system capable of stopping the device under typical operating conditions;
  - (3) An electric motor not exceeding 40 cubic centimeters;
  - (4) An unoccupied weight of less than 75 pounds;
  - (5) A deck designed to allow a person to stand or sit while operating the device; and
  - (6) The ability to be propelled by human power alone.
- B. This section does not include personal assistive mobility devices as defined in §

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<sup>23</sup>. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

340.01(15pm), Wis. Stats.

- C. No person may operate or ride a motor-assisted scooter in any of the following places:
- (1) On public highway, street or alley.
  - (2) On any public property where signs prohibit it.
  - (3) On the Hoover Avenue multi-purpose path or on any portion of the Green Circle Trail or any designated bicycle way with the power unit in operation.
  - (4) On any private property unless written permission has been received from the owner, lessee or person in charge of that property. Written permission must be carried with the person using that property during such use.
- D. It shall be lawful for operators of motor-assisted scooters to use Village-owned sidewalks with the power unit in operation, provided that they shall ride in a careful and prudent manner and with due regard under the circumstances for the safety of all persons using the sidewalk. Such operators shall yield the right-of-way to pedestrians using sidewalks and shall not otherwise endanger or interfere with pedestrian traffic on those sidewalks.
- E. This section does not apply to or restrict a person from riding upon a motor-assisted scooter while crossing a roadway at a crosswalk.
- F. Whoever violates this section is subject to a forfeiture not to exceed \$25 and in default of payment shall be imprisoned for not more than five days in the county jail.<sup>24</sup>

**§ 496-15. Obstruction of railroad crossings.**

- A. Time limitations. It shall be unlawful to stop any railroad train, locomotive or railroad car upon or across any Village highway or street crossing or to cause obstruction of vehicular traffic on public streets at such crossing by stopping, leaving standing, switching or otherwise maintaining constant railway use at such crossing longer than five continuous minutes, or for more than seven minutes out of any 12 continuous minutes.
- B. Penalty. Either the owner or any conductor, engineer, switchman, brakeman or other employee or agent in charge of, or otherwise responsible for, such offending railroad locomotive or car who shall violate the provisions of this section shall, upon conviction, pay the Village a forfeiture of not less than \$50 nor more than \$150 for each such violation, and a violation for each twelve-minute period shall constitute a separate offense, plus the costs of prosecution and in default of payment shall be imprisoned not less than five days nor more than 15 days in the county jail.

**§ 496-16. Violations and penalties.**

- A. Forfeiture penalty. Except where another penalty is prescribed, the penalty for violation of any provision of this chapter shall be a forfeiture as hereinafter provided together with the costs of prosecution and the penalty assessment imposed by § 757.05(2), Wis. Stats., where applicable. Payment of the judgment may be suspended by the sentencing judge for not

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24. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

more than 60 days. Any person who shall fail to pay the amount of the forfeiture, costs of prosecution and penalty imposed for violation of any provision of this chapter may, upon order of the court entering judgment therefor and having jurisdiction of the case, be imprisoned until such forfeiture, costs and assessment are paid, but not exceeding 90 days.<sup>25</sup>

- B. Other sanctions. Nothing herein shall preclude or affect the power of the sentencing court to exercise additional authorities granted by the Wisconsin Statutes to suspend or revoke the operating privileges and registration of the defendant or to order the defendant to submit to assessment and rehabilitation or attend traffic safety school in addition to payment of a monetary penalty or in lieu of imprisonment.
- C. Forfeitures for uniform traffic offenses. Forfeitures for violations of any traffic regulation set forth in the Wisconsin Statutes adopted by reference in § 496-1 of this chapter shall conform to the forfeiture penalty permitted to be imposed for violations of the comparable state statute, including any variations or increases for subsequent offenses; provided, however, that this subsection shall not permit prosecution under this chapter of any offense for which an imprisonment penalty may be imposed upon the defendant.
- D. Forfeitures for Village parking violations. The forfeiture for all Village parking violations shall not be less than \$7 nor more than \$20, plus court costs and the cost of prosecution.
- E. Forfeitures for other violations of this chapter. The forfeiture for all other violations of this chapter shall be not less than \$10 nor more than \$100 for the first offense and not less than \$20 nor more than \$200 for the second offense within one year.

#### **§ 496-17. Enforcement.**

This chapter shall be enforced in accordance with the applicable provisions of the Wisconsin Statutes and this section.

- A. Enforcement procedure. This chapter shall be enforced according to § 66.0114, Ch. 799 and §§ 345.20 and 345.53, Wis. Stats.
- B. Citations.
  - (1) Uniform citation and complaint. The Wisconsin Uniform Traffic Citation and Complaint described and defined in the Wisconsin Statutes shall be used for enforcement of all provisions of this chapter except those provisions which describe or define nonmoving traffic violations and violations of §§ 346.71 through 346.73, Wis. Stats. Violations of §§ 346.71 through 346.73, Wis. Stats., shall be reported to the District Attorney and the Wisconsin Uniform Traffic Citation shall not be used in such cases except upon written request of the District Attorney.
  - (2) Parking citations. The Village Attorney shall recommend a citation for use in enforcing the nonmoving traffic offenses of this chapter. When approved by the Village Board, such citation shall be used for enforcement of nonmoving traffic regulations created or adopted by this chapter, including violations of nonmoving

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<sup>25</sup>. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

traffic regulations defined and described in the Wisconsin Statutes adopted by reference in § 496-1 and all provisions of §§ 496-5 and 496-7 of this chapter. The citations for nonmoving traffic violations shall contain a notice that the person cited may discharge the forfeiture for violation of a nonmoving traffic regulation and penalty thereof by complying with Subsection C(2) below. Nonmoving traffic citations may be issued by law enforcement officers or by civilian employees of the Police Department.

C. Deposits and stipulations.

(1) Uniform traffic offenses.

- (a) Who may make. Persons arrested or cited for violation of moving traffic offenses created by this chapter shall be permitted to make deposits and stipulations of no contest or released by the arresting officer in accordance with the applicable provisions of the Wisconsin Statutes.
- (b) Delivery or mailing of deposit and stipulation. The deposit and stipulation shall be delivered personally by the person cited and mailed to the police station or the Clerk of Courts.
- (c) Receipt required. The official or person receiving the deposit shall furnish and deliver or mail an original receipt for such deposit to the alleged violator and shall deliver the deposit and stipulation and a copy of the receipt within three days to the Clerk of Courts.

(2) Nonmoving traffic offenses. [Amended by Ord. No. 15-01]

- (a) Direct payment of penalty permitted. Persons cited for violation of nonmoving traffic offenses described and defined in this chapter may discharge the penalty thereof and avoid further penalties by forwarding within seven days of the issuance of the citation to the Police Department, as indicated on the citation, the minimum penalty specified for the violation. If not so forwarded, the penalty may be discharged by forwarding within 20 days of the date of the citation to the above-named office double the amount of the minimum penalty specified. If not so forwarded, the penalty may be discharged by forwarding within 28 days of the date of the citation to the above-named office triple the amount of the minimum penalty specified.
- (b) Registration suspension/refusal. If the alleged violator does not deliver or mail a deposit, as provided in Subsection C(2)(a) above, within 28 days of the date of the citation, the Chief of Police and/or his designee will forward the appropriate information to the Department of Transportation to initiate suspension and refusal of registration of any vehicle owned by the person listed as the owner of the vehicle that was so cited. (The Chief of Police and/or his designee will follow all procedural requirements pertaining to § 345.28, Wis. Stats.)

**§ 496-18. Deposit schedule.**

Every police officer issuing a citation for any violation of this chapter shall indicate on the

citation the amount of the deposit that the alleged violator may make in lieu of court appearance. The amount of the deposit shall be determined in accordance with the deposit schedule established by the Portage County Board of Circuit Judges.

**§ 496-19. Statutory references.**

- A. Statutes specifically incorporated by reference. Whenever this chapter incorporates by reference specific sections of the Wisconsin Statutes, such references shall mean the Wisconsin Statutes as of the adoption of this chapter, as from time to time amended.<sup>26</sup>
- B. General references. General references in this chapter to Wisconsin statutory sections or chapters describing or defining procedures or authority for enactment or enforcement of local traffic regulations shall be deemed to refer to the most recent enactments of the Wisconsin Legislature describing or defining such procedures or authority.

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<sup>26</sup>. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).